

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) RONALD P. OINES, ESQ.   SBN: 145016 roines@rutan.com RUTAN & TUCKER, LLP 611 ANTON BOULEVARD, SUITE 1400 COSTA MESA, CA 92626 TELEPHONE NO.: (714) 641-5100   FAX NO. (714) 548-9035   E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff: ALTAIR INSTRUMENTS, INC.	POS-010 FOR COURT USE ONLY
UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: CA BRANCH NAME: CENTRAL DISTRICT OF CALIFORNIA	
PLAINTIFF/PETITIONER: ALTAIR INSTRUMENTS, INC., a California Corporation DEFENDANT/RESPONDENT: KELLEY WEST ENTERPRISES, LLC, et al.	CASE NUMBER: 2:15-CV-08115-R (FFMX)
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a. ☐ Summons
  - b. ☐ Complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☐ Civil Case Cover Sheet
  - e. ☐ Cross-complaint
  - f. ☒ other (specify documents): SUMMONS IN A CIVIL ACTION; COMPLAINT FOR PATENT INFRINGEMENT; DEMAND FOR JURY TRIAL; CIVIL COVER SHEET; NOTICE OF INTERESTED PARTIES; REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK; NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES
3. a. Party served (specify name of party as shown on documents served):  
 KELLEY WEST ENTERPRISES, LLC, a Florida Limited Liability Company
  - b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):  
 MITCHELL GREEN - AGENT FOR SERVICE OF PROCESS
4. Address where the party was served: 4000 HOLLYWOOD BLVD, STE 485-SOUTH  
 HOLLYWOOD, FL 33021
5. I served the party (check proper box)
  - a. ☐ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
  - b. ☒ by substituted service. On (date): 10/22/2015 at (time): 10:23 am I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):  
 ELENA BELDEN - ASSISTANT
    - (1) ☒ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☒ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☒ a declaration of mailing is attached.
    - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: ALTAIR INSTRUMENTS, INC., a California Corporation	CASE NUMBER:
RESPONDENT: KELLEY WEST ENTERPRISES, LLC, etc et al.	2:15-CV-08115-R (FFMX)

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant.

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant.

d. ☒ On behalf of (specify): **KELLEY WEST ENTERPRISES, LLC, a Florida Limited Liability Company**  
under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☐ 416.20 (defunct corporation)

☐ 416.30 (joint stock company/association)

☐ 416.40 (association or partnership)

☐ 416.50 (public entity)

☐ 415.95 (business organization, form unknown)

☐ 416.60 (minor)

☐ 416.70 (ward or conservatee)

☐ 416.90 (authorized person)

☐ 415.46 (occupant)

☒ other: **LIMITED LIABILITY COMPANY**

7. Person who served papers

a. Name: **LEONARD J. GARTMAN (Florida Process Server) C/O Nationwide Legal, LLC**

b. Address: **200 W. Santa Ana Blvd., Suite 300 Santa Ana, CA 92701**

c. Telephone number: **(714) 558-2400**

d. The fee for service was: **\$ 298.08**

e. I am:

(1) ☒ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☐ registered California process server:

(i) ☐ owner ☐ employee ☐ Independent contractor.

(ii) Registration No.:

(iii) County:

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or


9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 10/26/2015

Nationwide Legal, LLC  
200 W. Santa Ana Blvd., Suite 300  
Santa Ana, CA 92701  
(714) 558-2400  
www.nationwideasap.com

**LEONARD J. GARTMAN (Florida Process Server)**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

  
(SIGNATURE)

Attorney or Party without Attorney: RONALD P. OINES, ESQ., SBN: 145016 RUTAN & TUCKER, LLP 611 ANTON BOULEVARD, SUITE 1400 COSTA MESA, CA 92626 TELEPHONE No.: (714) 641-5100 FAX No. (Optional): (714) 546-9035 E-MAIL ADDRESS (Optional): Attorney for: Plaintiff ALTAIR INSTRUMENTS, INC.				FOR COURT USE ONLY	
				Ref No. or File No.: 024004-0020 2118	
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT - CENTRAL DISTRICT OF CALIFORNIA					
Plaintiff: ALTAIR INSTRUMENTS, INC., a California Corporation Defendant: KELLEY WEST ENTERPRISES, LLC, etc et al.					
PROOF OF SERVICE BY MAIL		HEARING DATE:		TIME:	
				DEPT.:	
				CASE NUMBER: 2:15-CV-08115-R (FFMX)	

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT FOR PATENT INFRINGEMENT; DEMAND FOR JURY TRIAL; CIVIL COVER SHEET; NOTICE OF INTERESTED PARTIES; REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK; NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES
3. By placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at SANTA ANA, California, addressed as follows:
  - a. Date of Mailing: October 23, 2015
  - b. Place of Mailing: SANTA ANA, California
  - c. Addressed as follows: KELLEY WEST ENTERPRISES, LLC, a Florida Limited Liability Company  
ATTENTION: MITCHELL GREEN - AGENT FOR SERVICE OF PROCESS  
4000 HOLLYWOOD BLVD, STE 485-SOUTH  
HOLLYWOOD, FL 33021

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SANTA ANA, California in the ordinary course of business.

Fee for Service: \$ 298.08

**NATIONWIDE  
LEGAL**

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on **October 26, 2015**.

Signature:

VIRGINIA CASTILO

## PROOF OF SERVICE BY MAIL

Order#: 2613278MO/mailproof